

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

MICROSOFT CORPORATION,
SAP AG, and SAP AMERICA, INC.,

Plaintiffs,

v.

DATATERN, INC.

Defendant.

Consolidated Cases:

Civil Case No.: 11-cv-2365 RJH
Civil Case No.: 11-cv-2648 RJH

MOTION TO WITHDRAW

**MOTION TO WITHDRAW AS COUNSEL
OF RECORD FOR DEFENDANT DATATERN, INC.**

Pursuant to Local Civil Rule 1.4, Timothy J. Haller, Gregory P. Casimer and Gabriel I. Opatken of Niro, Haller & Niro request that they be permitted to withdraw as counsel of record for Defendant DataTern, Inc. ("DataTern") in this matter. This motion is not opposed by DataTern, who will continue to be represented by Lee Bromberg, and Erik Belt of McCarter & English, LLP. Since Mr. Bromberg and Mr. Belt have been serving as lead counsel for DataTern, no change to the case schedule is requested. For the satisfactory reasons shown herein, leave to withdraw is respectfully requested.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was filed electronically on August 19, 2011. As such, this document was served on all counsel who have consented to electronic service. All other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by U.S. mail or e-mail transmission on this same date.

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